

### REMARKS

The following remarks are responsive to the October 23, 2003 Office Action.

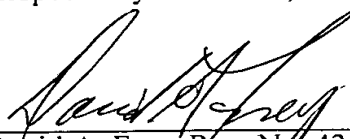
Claims 91-107 are pending as a result of this amendment. Claims 65-90 have been canceled, and new claims 91-107 have been added. No new matter is added.

Claims 65-72, 74 and 75 were rejected in the Office Action as being unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 6,599,481 (Stevens et al.) in view of U.S. Pending Application No. 2001/0017817 A1 (De La Hueraga). Claim 73 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Stevens et al. in view of De La Hueraga and further in view of U.S. Patent No. 6,447,014 (Seidl). Furthermore, claim 70 was rejected under 35 U.S.C. § 112, second paragraph.

Claims 65-90 have been canceled. Claims 91-107 are directed to a system for ensuring the proper dispensation of a pharmaceutical, a packaging system for pharmaceuticals, and a method for controlling a packaging operation. None of the prior art cited in the October 23, 2003 Office Action discloses or teaches a pharmaceutical packaging system. For this reason, Applicant requests that the Examiner allow claims 91-107.

This application is believed to be in condition for allowance and early favorable action is requested. The Examiner is requested to call the undersigned attorney if that would be helpful in resolving any matters that might remain.

Respectfully submitted,



---

David A. Frey, Reg. No. 43,618  
GARDNER CARTON & DOUGLAS LLC  
191 N. Wacker Drive, Suite 3700  
Chicago, Illinois 60606-1698  
(312) 569-1000 (telephone)  
(312) 569-3000 (facsimile)

Date: March 23, 2004


In re Appl. of Krupa  
Application No. 09/759,875  
Preliminary Amendment

CERTIFICATE OF MAILING

Date: March 23, 2004

I hereby certify that this PRELIMINARY AMENDMENT is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Charles Coronado  
Typed or Printed Name

  
Signature

CH02/ 22293528.3